

UNITED STATES COURT OF APPEALS

**Filed 2/9/96**

TENTH CIRCUIT

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OTTO GRAHAM,

Petitioner - Appellant,

v.

ROBERT FURLONG; ATTORNEY  
GENERAL OF THE STATE OF  
COLORADO,

Respondents - Appellees.

No. 95-1384

(D.C. No. 95-M-1037)

(D. Colo.)

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ORDER AND JUDGMENT\*

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Before PORFILIO, McKAY, and KELLY, Circuit Judges.

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After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. 34.1.9. The case is therefore ordered submitted without oral argument.

This is a petition for writ of habeas corpus challenging the length of petitioner's

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\*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

state court sentence. The district court order dismissing the petition is affirmed for the reasons contained in the magistrate judge's recommendation and the trial court's order adopting the recommendation.

AFFIRMED. The mandate shall issue forthwith.

Entered for the Court

Monroe G. McKay  
Circuit Judge